

OCTOBER 16, 2023 CC MINUTES

A regular meeting of the City Council of the City of Fort Calhoun, Nebraska, was held in open and public session at 7:00, on Monday, October 16, 2023, at the Fort Calhoun Council Chamber, 110 S 14th St, in Fort Calhoun, Nebraska.

Notice of the meeting was given in advance thereof by publication, said form of notice being a designated method for giving notice, an affidavit of publication being attached to these minutes.

Advance notice of this meeting was also given to the Mayor and all Council Members. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council Members.

In accordance with Section 84-1412 sub section eight (8) of the Reissue Revised State Statutes of the State of Nebraska 1943, as amended, one copy of all reproducible written material to be discussed is available to the public at this meeting for examination and copying.

Council President stated persons wishing to address the Governing Body on an agenda item shall wait to be identified by the Presiding Officer; then, after stating their name and address for the record, may proceed to speak. No person, other than the Council and the person having the floor will be permitted to enter any discussion without the permission of the Presiding Officer. Remarks shall be limited to five minutes unless extended or limited and repetitive or cumulative remarks may be limited or excluded by the Presiding Officer.

Please note that the meeting minutes are not approved until the next regular City Council meeting.

On roll call, the following Council Members answered present: Bob Prieksat, John Kelly, and Nick Schuler. Member Andy Bowser was absent.

Mayor Robinson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

Mayor Robinson led those present in the Pledge of Allegiance.

With a quorum present, Mayor Robinson presided, and the clerk recorded the proceedings.

Member Schuler made a motion seconded by member Kelly to approve the following consent agenda: *September 18, 2023 City Council minutes; September 25, 2023 City Council Budget hearing and adoption minutes; Treasures Report for September; October 2, 2023 Planning Commission minutes; October 5, 2023 Park Board minutes; September 25, 2023 Enhancement Committee minutes; October 11, 2023 Christmas in Calhoun minutes; Maintenance Report; September 2023 Washington County Sheriff's Statistics.* With members Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Mayor Robinson presented the October bills. Member Prieksat made a motion seconded by member Schuler to approve the following bills: A P PLUMBING, LLC SER 420.00, ABE'S PORTABLES SER 290.00, SER 125.00, ABE'S TRASH SERVICE, INC. SER 323.53, AMGL CPAS & ADVISORS PROF 4950.00, BARCO DUES 3457.49, BLAIR ACE HARDWARE SUP 119.98, BOMGAARS SUP 39.98, CERTIFIED LABORATORIES EXP 190.45, CITY OF BLAIR UTL 3232.04, COX BUSINESS UTL 538.69, EMBRIS GROUP, LLC PROF 1248.75, ENTERPRISE MEDIA GROUP SER 126.00, SER 10.35, SER 10.35, SER 17.55, SER 103.96, SER 105.44, GATEWAY DEVELOPMENT CORP. DUES 3500.00, IDEAL PURE WATER SER 31.25, JDW MIDWEST, LLC SER 413.31, JEO CONSULTING GROUP, INC. PROF 352.50, PROF 2700.00, PROF 1058.75, PROF 5350.00, PROF 883.00, JOHN DEERE FINANCIAL EXP 826.85, KAMB & C ENTERPRISES SER 65.00, M.U.D. UTL 92.00, MARTIN MARIETTA MATERIALS SER 587.90, MULHALL'S LANDSCAPE EXP 347.72, NE PUBLIC HEALTH ENV LAB TEST 485.00, ODEY'S INC. EXP 4599.90, ONE CALL CONCEPTS, INC SER 55.92, PAPIO-MISSOURI RIVER N. R. D. UTL 12468.85, UTL 1956.27, POSTMASTER EXP 214.71, POWERMANAGER SER 6791.85, TALBOT LAW OFFICE PROF 595.00, THREE RIVERS CLERKS ASSOC. DUES 10.00, UTILITIES SERVICE GROUP SER 1562.50, SER 18476.65, WASHINGTON COUNTY SHERIFF SER 6493.76, WASHINGTON COUNTY TREASURER EXP 52.76 Total - \$85,281.01; with members Schuler, Kelly, and Prieksat voting "Aye", motion carried.

The public hearing relating to THE AMENDMENT TO THE OFFICIAL CITY OF FORT CALHOUN ZONING MAP; AND TO AMEND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH opened at 7:05 p.m. There were no written comments. Alice Johnson, 6097 North Ridge Rd, would like the city to cede their property to the county. Currently, the property that their house is on is in the County's jurisdiction and a piece of property they own to the south of it is in the City's jurisdiction. They want to combine the lots and then split them into three for their children. The public hearing closed at 7:06 p.m.

John Linton, 409 S 16th St, suggested upgrades to the crosswalk which include flashers, signage, and a painted crosswalk. He believes the intersection needs to be designated as a crosswalk. The council agreed. The mayor said something will be done with the intersection and he will find out if it is the city or state's responsibility to paint it.

Laura Willey, 5231 Casals Lea Lane, discussed the request to change the name of Casals Lea Lane to Locust Lane. She explained that they have struggled with the name for a long time. The Fort Calhoun Presbyterian church owns the lane and they gave permission to change name to Locust Lane in 2019. With members Prieksat, Schuler and Kelly voting "Aye", motion carried.

Member Schuler made a motion seconded by member Kelly to approve Christmas in Calhoun's request for \$2,500 in Keno funds. With members Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Member Schuler made a motion seconded by member Prieksat to approve Christmas in Calhoun's request to close 15th Street from Court to Monroe Street and Monroe Street from 15th Street to 16th Street on November 25th from 4:00 p.m. – 8:00 p.m. for the Annual Tree Lighting and Parade of Lights. With members Schuler, Kelly, and Prieksat voting "Aye", motion carried.

Member Schuler made a motion seconded by member Kelly to approve Pay Application No. 4 in the amount of \$11,482.80 from Sand Creek Construction for the Adams Street Corridor Group B Improvements. With members Prieksat, Schuler and Kelly voting "Aye", motion carried.

Member Schuler made a motion seconded by member Kelly to approve the final reading of **Ordinance 804 Zoning Amendments (Sections 5.06, 5.12.07, 7.02, 9.10, 9.12, 9.15, 9.24)**. With members Kelly, Prieksat, and Schuler voting "Aye", motion carried.

Member Prieksat introduced **Ordinance 806 Zoning Map Amendment (Ceding Tax Lot 79)** entitled:

AN ORDINANCE OF THE CITY OF FORT CALHOUN, NEBRASKA, TO AMEND THE CITY'S ZONING MAP TO CEDE TAX LOT 79 IN SECTION 10-17-12 (PID #890007721) FROM THE CITY OF FORT CALHOUN'S EXTRATERRITORIAL JURISDICTION; TO REPEAL ANY AND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE AN EFFECTIVE DATE

Member Prieksat made a motion to waive the three readings. Member Kelly seconded the motion. With members Schuler, Kelly, and Prieksat voting "Aye", motion carried. Member Prieksat made a motion for final approval and member Kelly seconded. With members Prieksat, Schuler, and Kelly voting "Aye", motion carried.

Member Schuler introduced **Resolution 2023-16 Signing of the Program Project Agreement (TAP)** and moved for its passage and adoption. Member Kelly seconded the motion. On roll call the following voted "Aye": Kelly, Prieksat, and Schuler. The passage and adoption of said Resolution having been concurred by most of all members of the Council, the Mayor declared the Resolution adopted and, in the presence of the Council, signed and approved the Resolution and the Clerk attested the passage and approval of the same and affixed her signature thereto.

RESOLUTION 2023-16 SIGNING OF THE PROJECT PROGRAM AGREEMENT

Whereas: City of Fort Calhoun is proposing a transportation project for which it would like to obtain Federal funds; and

Whereas: City of Fort Calhoun understands that it must strictly follow all Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project; and

Whereas: City of Fort Calhoun and Nebraska Department of Transportation (NDOT) wish to enter into a new Project Program Agreement setting out the various duties and funding responsibilities for the Federal-aid project.

Be It Resolved: by the City Council of Fort Calhoun that:

Mitch Robinson, Mayor of the City of Fort Calhoun, is hereby authorized to sign the attached Project Program Agreement between the City of Fort Calhoun and the NDOT.

City of Fort Calhoun is committed to providing local funds for the project as required by the Project Program Agreement.
NDOT Project Number: TAP-28(159)
NDOT Control Number: 22926
NDOT Project Name: Connecting Fort Calhoun with Safe Transportation Alternatives

Adopted this 16th day of October, 2023 at Fort Calhoun, Nebraska.

The City of Fort Calhoun

Mayor Robinson informed the public that open burning will be Friday, November 3rd through Sunday, November 26th, and a burn permit will be required during this time through the Fort Calhoun Fire Department.

After a vote, Mayor Robinson stated for the record, the motion was made, seconded and carried for the council to go into closed session, necessary for the protection of the public interest, to discuss possible legal action at 7:30 p.m.

Mayor Robinson declared the meeting in open session at 7:42 p.m. No action was taken.

Following a motion and vote, Mayor Robinson declared the meeting adjourned at 7:42 p.m.

Mitch Robinson, Mayor

ATTEST: Alicia Koziol, City Clerk